

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	CHAPTER 13
ERIC T. MILLER,)	
DEBTOR,)	CASE NO. 13-76000-MHM
)	
)	

NOTICE OF HEARING ON MOTION TO RECONSIDER
AND VACATE ORDER OF DISMISSAL

PLEASE TAKE NOTICE that **ERIC T. MILLER** has filed a **Motion to Reconsider and Vacate Order of Dismissal** and related papers with the Court seeking an order to vacate the **Order of Dismissal**.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the **Motion to Reconsider and Vacate Order of Dismissal** in Courtroom **1204**, United States Courthouse, 75 Spring Street, S.W., Atlanta, Georgia, at **1:45 p.m.** on **December 18, 2014**.

Your rights may be affected by the court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when,

how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is: Clerk, U. S. Bankruptcy Court, Suite 1340, 75 Spring Street, Atlanta Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.

Respectfully submitted, this 26th day of November, 2014.

/s/
Mario "Marty" L. Adkins
Ga. Bar No.: 005393

3401 Norman Berry Drive, Suite 266
Atlanta, GA 30344
(404) 763-3623
madkinslaw@gmail.com

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CHAPTER 13
ERIC T. MILLER,)	
DEBTOR,)	CASE NO. 13-76000-MHM
)	
)	

MOTION TO RECONSIDER AND VACATE ORDER OF DISMISSAL

Comes Now, Debtor(s) in the above-styled case and shows this
Honorable Court the following:

1.

Eric T. Miller filed the above case on December 2, 2013. The Court confirmed the Chapter 13 Plan on September 18, 2014.

2.

On or about November 20, 2014, the Court dismissed the above-styled case (Doc. No. 74). The dismissal was based on the Trustee's Supplemental Report dated November 19, 2014 (Doc. No. 73).

3.

The Trustee's Supplemental Report referenced the Supplemental Order of Confirmation of October 1, 2014, which required on-time payments for twelve months following the entry of the Order (Doc. No. 64).

4.

At the time of the Trustee's Supplemental Report, plan payments were due for October and November 2014.

5.

The missed payments resulted from a temporary decline in income for Mr. Miller.

6.

Mr. Miller now has sufficient income to resume his payments. It is anticipated the plan payments will be current at the time of the hearing on this Motion.

7.

Mr. Miller could lose his vehicle and substantial equity in real property should the dismissal not be vacated. Both the vehicle and real property is necessary for an effective reorganization. It is in the best interests of the estate and the creditors that the dismissal be vacated.

WHEREFORE, Debtor prays for the following:

- (a) That the Order of Dismissal be vacated;
- (b) That the Court re-impose the automatic stay as to all creditors;
- (d) (e) That Debtor have all other and further relief that is just and proper.

Respectfully submitted, this 26th day of November, 2014.

3401 Norman Berry Drive, Suite 266
Atlanta, GA 30344
(404) 763-3623
madkinslaw@gmail.com

/s/
Mario "Marty" L. Adkins
Ga. Bar No.: 005393

CERTIFICATE OF SERVICE

This is to certify that I have this day served the parties below with a true copy of the foregoing, attached "Notice of Hearing on Motion to Reconsider and Vacate Order of Dismissal" and "Motion to Reconsider and Vacate Order of Dismissal" by U.S. Mail, First Class, with appropriate prepaid postage affixed, addressed as follows:

Adam Goodman
Chapter 13 Trustee
Suite 200
260 Peachtree St.
Atlanta, GA 30303

All those parties shown on
Label Matrix for local noticing 113E-1;
Case 13-76000-mhm, which is attached
hereto and incorporated by reference herein

So served, this 26th day of November, 2014.

/s/
Mario "Marty" L. Adkins
Ga. Bar No.: 005393

Label Matrix for local noticing
113E-1
Case 13-76000-mhm
Northern District of Georgia
Atlanta
Wed Nov 5 10:27:15 EST 2014

Mario Marty L. Adkins
Suite 266
3401 Norman Berry Drive
Atlanta, GA 30344-5102

Ashley Funding Services LLC
c/o Resurgent Capital Services
P.O. Box 10587
Greenville, SC 29603-0587

Automobile Acceptance
749 Main Street
Riverdale, GA 30274-2398

Ayoub & Mansour, LLC
Atten: Carolina D. Bryant
675 Seminole Ave., Ste. 301
Atlanta, GA 30307-3414

BB&T, Bankruptcy Section
100-50-01-51
P.O. Box 1847
Wilson, NC 27894-1847

Carolina Dallal Bryant
Ayoub & Mansour, LLC
Suite 301
675 Seminole Ave.
Atlanta, GA 30307-3414

(c)CAC FINANCIAL CORP.
RE: DALLAS CARDIO
2601 NW EXPRESSWAY STE 1000E
OKLAHOMA CITY OK 73112-7238

Central Financial Control
Re: So. Fulton Hospital
PO Box 66044
Anaheim, CA 92816-6044

City of Allen
305 Century Pkwy.
Allen, TX 75013-8042

DeKalb County
Treasury & Accounting Division
Attn: Bankruptcy
P.O. Box 1027
Decatur, Georgia 30031-1027

DeKalb County Tax Commissioner
Collections Division
PO Box 100004
Decatur, GA 30031-7004

Dekalb County Water and Sewer
1300 Commerce Drive
Decatur, Georgia 30030-3222

Dekalb Dept. of Watershed Mgt
1580 Roadhaven Drive
Stone Mountain, GA 30083-1316

EOS / CCA
700 Longwater Dr.
Norwell, MA 02061-1624

Frost Arnett Company
Re: DeKalb Anest.
PO Box 198988
Nashville, TN 37219-8988

Adam M. Goodman
Adam M. Goodman, 13 Trustee
Suite 200
260 Peachtree Street
Atlanta, GA 30303-1236

Adam M. Goodman
Chapter 13 Trustee
Suite 200
260 Peachtree Street
Atlanta, GA 30303-1236

(p)JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

Richard B. Maner
Richard B. Maner, P.C.
5775 Glenridge Drive
Building D, Suite 100
Atlanta, GA 30328-5390

Merchants & Med. Bureau
Re: Ga. Farm Bureau
321 Main St. South
Tifton, GA 31794-4897

Eric T Miller
3606 Bouldercrest Rd.
Ellenwood, GA 30294-1631

Oakmont Holdings, LLC
675 Seminole Ave.
Ste. 301
Atlanta, GA 30307-3414

Paramont Recovery Sys.
Re: Questcare
111 E. Center St.
Lorena, TX 76655-9651

Professional Placement
Re: Guaranty Bank
316 N. Milwaukee St., St. 410
Milwaukee, WI 53202-5888

Quantum3 Group LLC as agent for
Galaxy International Purchasing LLC
PO Box 788
Kirkland, WA 98083-0788

RAC Acceptance
5501 Headquarters Dr.
Plano, TX 75024-5837

RAC Acceptance
Re: American Signature
3001 Stonecrest Promenade
Lithonia, GA 30038-6991

RS Clark & Assoc.
12990 Pandora
Ste. 150
Dallas, TX 75238-5256

SLS
8742 Lucent Blvd., Ste. 300
Highlands Ranch, CO 80129-2386

Specialized Loan Servicing LLC
c/o Richard B. Maner, PC
5775 Glenridge Drive
Building D Suite 100
Atlanta, GA 30328-5380

Specialized Loan Servicing LLC
8742 Lucent Blvd, Suite 300
Highlands Ranch, CO 80129-2386

Sprint Correspondence
Attn Bankruptcy Dept
PO Box 7949
Overland Park KS 66207-0949

Suntrust Bank
DDA Recovery Dept.
WRMK 9394
Richmond, VA 23260

(p)TXU ENERGY RETAIL COMPANY LP
CO BANKRUPTCY DEPARTMENT
PO BOX 650393
DALLAS TX 75265-0393

TXU Energy Retail Company LLC
CO Bankruptcy Department
PO Box 650393
Dallas TX 75265-0393

TitleMax
901 W. Parker Road
Plano, TX 75023-7134

(p)TMX FINANCE LLC FORMERLY TITLEMAX
15 BULL STREET
SUITE 200
SAVANNAH GA 31401-2686

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud Mn 56302-9617

TXU Energy
P.O. Box 2270
Palestine, TX 75802

TitleMax Of Texas
Ste. 200
15 Bull St.
Savannah, GA 31401

(d)TitleMax of Georgia, Inc. d/b/a TitleMax
15 Bull Street, Suite 200
Savannah, GA 31401

Addresses marked (c) above for the following entity/entities were corrected as required by the USPS Locatable Address Conversion System (LACS).

CAC Financial Corp.
RE: Dallas Cardio
2601 NW Expressway, Ste 1000 E
Oklahoma City, OK 73112

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Oakmont Holdings, LLC

(d)Quantum3 Group LLC as agent for
Galaxy International Purchasing LLC
PO Box 788
Kirkland, WA 98083-0788

End of Label Matrix	
Mailable recipients	37
Bypassed recipients	2
Total	39